

RIGHTS OF WAY SUB-COMMITTEE

Minutes of the meeting held at 7.00 pm on 28 September 2022

Present:

Councillor Simon Fawthrop (Chairman)
Councillor Jonathan Andrews (Vice-Chairman)
Councillors Mike Botting, Alisa Igoe, Chris Price,
Michael Tickner and Thomas Turrell

1 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

Apologies for absence were received from Cllr Stranger and Cllr Turrell attended as substitute.

2 DECLARATIONS OF INTEREST

Regarding the previous Rights of Way Sub-Committee meeting on 23rd September 2021, and the item relating to the proposed Public Right of Way at Heathside, Petts Wood, Cllr Fawthrop declared that he didn't attend the meeting as he had made a donation to this campaign.

3 MINUTES OF THE MEETING HELD ON 23 SEPTEMBER 2021

Please see the above note re Cllr Fawthrop. The Minutes of the meeting held on 23 September 2021 were agreed and signed as a correct record.

4 QUESTIONS

Four questions were received – one for oral reply at the meeting and three for written reply. These are set out at Appendix A to these minutes.

5 PROPOSED PUBLIC RIGHT OF WAY AT HAYES STREET FARM, HAYES

Report No. ES20127

The Sub-Committee was asked to determine an application for a Definitive Map Modification Order to recognise a public right of way at Hayes Street Farm, Hayes, Bromley. The application had been made under the Wildlife and Countryside Act 1981 which placed a duty on the Council, as the Surveying Authority for public rights of way, to keep the Definitive Map and Statement under continuous review.

The Council had commissioned Sue Rumfitt Associates to investigate the application and their report contained all the relevant evidence. Their recommendation was that, on balance, the application for a bridleway should be refused, but an Order should be made to record a footpath along the application route, on the basis that it can be reasonably alleged that a footpath subsists. The Sub-Committee also received a letter from Burgess Salmon dated 27 September 2022 drawing attention to various matters including the planning permission granted for a development now under construction.

In response to a question, officers confirmed that should the footpath be added to the Definitive Map, the standard width of the path would be designated as 2 metres wide, following the 2007 Defra guidance and as stated in the report, but there could be narrower points as necessary.

RESOLVED that the Director of Corporate Services and Governance, in consultation with the Director of Environment and Public Protection, be authorised to make a Definitive Map Modification Order under section 53(c)(i) of the Wildlife and Countryside Act 1981 to add a footpath to the Definitive Map and Statement for the route shown from A-F on the plan in Appendix A and make an Order under Section 53(3)(c)(ii) for the route shown on the said plan.

The Meeting ended at 7.15 pm

Chairman